

IC 12-9.1-3

Chapter 3. Personnel of Division

IC 12-9.1-3-1

Application of IC 4-15-2

Sec. 1. Except as provided in IC 4-15-2-3.8, IC 4-15-2 applies to all employees of the division.

As added by P.L.141-2006, SEC.38.

IC 12-9.1-3-2

Criminal or civil proceedings against division personnel as result of official acts; defense by state; exceptions

Sec. 2. (a) If a member, an officer, or an employee of the division is accused of an offense or sued for civil damages because of an act performed:

- (1) within the course of the individual's employment; or
- (2) under the authority or order of a superior officer;

the attorney general shall defend the individual in an action for civil damages. If the action or proceeding is criminal in nature, the governor shall designate counsel to represent and defend the accused, and the state is financially responsible for the expense of the defense.

(b) This section does not do either of the following:

- (1) Deprive an individual of the right to select defense counsel of the individual's choice at the individual's expense.
- (2) Relieve any person from responsibility in civil damages.

As added by P.L.141-2006, SEC.38.